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Case No. MD-06-0259A

INTERIM CONSENT AGREEMENT FOR PRACTICE RESTRICTION AND RESIDENTIAL INPATIENT TREATMENT

Holder of License No. **25871**
For the Practice of Allopathic Medicine
In the State of Arizona.

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1. Respondent has read and understands this Interim Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement"). Respondent acknowledges that he understands he has the right to consult with legal counsel regarding this matter.

3. This Interim Consent Agreement will not become effective until signed by the Executive Director.

4. All admissions made by Respondent are solely for interim disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government regulatory agency

1 proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or
2 federal court.

3 5. Respondent may not make any modifications to the document. Upon signing this
4 agreement, and returning this document (or a copy thereof) to the Executive Director,
5 Respondent may not revoke acceptance of the Interim Consent Agreement. Any modifications
6 to this Interim Consent Agreement are ineffective and void unless mutually approved by the
7 parties.

8 6. This Interim Consent Agreement, once approved and signed, is a public record that
9 will be publicly disseminated as a formal action of the Board and will be reported to the National
10 Practitioner Databank and on the Board's website.

11 7. If any part of the Interim Consent Agreement is later declared void or otherwise
12 unenforceable, the remainder of the Interim Consent Agreement in its entirety shall remain in
13 force and effect.

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15 _____
16 JOHN C. MORGAN M.D.

Dated: 5/3/06

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of the
3 practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of License No. 25871 for the practice of allopathic
5 medicine in the State of Arizona.

6 3. On March 31, 2006 the Arizona Medical Board ("Board") received a complaint
7 involving Respondent. On April 3, 2006 Respondent was interviewed by Kelly Sems, M.D., a
8 Medical Consultant for the Board and Board Staff. As a result of the interview Dr. Sems
9 recommended that Respondent undergo a substance abuse evaluation with the Board's contract
10 addiction medicine specialist. On April 28, 2006 Respondent was interviewed by David
11 Greenberg, M.D., one of the Board's contract addiction medicine specialists, and also voluntarily
12 submitted to a urine drug test. On May 1, 2006 Board Staff was notified by Southwest
13 Laboratories that Respondent had tested positive for Methadone. During the April 28, 2006
14 interview Respondent did not reveal he was taking Methadone when asked by Dr. Greenberg to
15 list the medications he was currently using. Dr. Greenberg has recommend Respondent cease
16 practicing medicine and undergo treatment.

17 4. Respondent has agreed to remove himself from practice and undergo treatment.

18 5. There is evidence that if Respondent were to practice medicine in Arizona there
19 would be a danger to the public health and safety.

20 **CONCLUSIONS OF LAW**

21 1. The Board possesses jurisdiction over the subject matter hereof and over
22 Respondent.

23 2. The Executive Director may enter into a consent agreement with a physician if
24 there is evidence of danger to the public health and safety. A.R.S. § 32-1405(C)(25); A.A.C.
25 R4-16-404.

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent shall not practice clinical medicine or any medicine involving direct patient care, and is prohibited from prescribing any form of treatment including prescription medications, until Respondent applies to the Board and receives permission to do so.

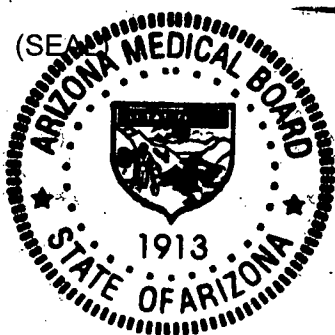
2. Within 10 days of the date of this Interim Consent Agreement, Respondent shall undergo residential inpatient treatment at a Board approved treatment center. Respondent is responsible for all expenses relating to the treatment. Respondent shall sign a consent form to release all confidential treatment records to the Board. Respondent shall comply with any recommendations made by the treatment program, including any recommendation that he undergo further treatment. Any additional treatment must be completed at a Board approved treatment center.

3. Respondent shall provide a copy of this Order to the treatment program.

4. This is an interim order and not a final decision by the Board regarding the pending investigative file and as such is subject to further consideration by the Board.

DATED AND EFFECTIVE this 3rd day of May, 2006.

ARIZONA MEDICAL BOARD



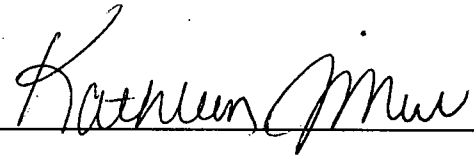
By Amade Bich
TIMOTHY C. MILLER, J.D.
Executive Director

1 ORIGINAL of the foregoing filed this
2 3rd day of May, 2006 with:

3 The Arizona Medical Board
4 9545 East Doubletree Ranch Road
5 Scottsdale, AZ 85258

6 EXECUTED COPY of the foregoing sent by
7 ~~Certified mail~~ this 3rd day of May, 2006,
8 to: fax

9 John C. Morgan, M.D.
10 (Address of Record)

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